

Copy file S. 2597

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MEMORANDUM FOR: [REDACTED]
Office of Legislative Counsel

SUBJECT : Comments on S. 2597 and S. 3767

You have requested our comments on the undated draft letter to Senator Stennis commenting on S. 2597 and S. 3767. We have only a few thoughts, as follows:

- (a) I believe the word "codifies" in the last paragraph of page 1 conveys a slightly inaccurate meaning. The new subsection would substitute a statutory mandate for what is now a practice which the Congressional committees have informally instituted and developed over the years. The word could be replaced with the term "converts to a statutory requirement", etc.
- (b) Unless we are now committed to the contrary, I wonder if it is wise to restrict all our interviewing of American citizens to those who are willing "voluntarily and without pay" to cooperate. This appears in the second paragraph of page 2 of the draft letter.
- (c) The argument against the provision prohibiting illegal activity might be strengthened by suggesting that its inclusion would imply that agencies not under such a restriction are free to engage in illegal activities.

STATINTL

[REDACTED]
Associate General Counsel